IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

Bail Appl..No. 294 of 2007()

AGAINST THE ORDER DATED 02/01/2007 IN ORDER IN CMP.5/07 of J.M.F.C.,MAVELIKKARA

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: PETITIONER/ACCUSED

JAYAN, S/O.GOPALAN,
KOCHUMURIYIL PUTHEN VEETU,
EREZHA NORTH, KANNAMANGALAM VILLAGE,
MAVELIKKARA.

BY ADV. SRI.N.SURESH

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 294 OF 2007

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DATED THIS THE 23rd DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.104/06 of Mavelikkara Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 4.5 litres of illicit arrack on 29.4.2006, seeks his enlargement on bail. Petitioner was arrested on 29.12.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 30.1.2007. Accordingly, the petitioner is directed to be released on bail with effect from 30.1.2007 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.,Mavelikara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn